

Application No.: 10/534093

Case No.: 57862US002

REMARKS

Claims 1, 3-7, 9-40, 42-44 are pending. Claim 2 has been cancelled in this amendment. Claims 1 and claim 1.1 are currently amended. Claim 1 has been amended per the Examiner's suggestion, to replace the phrase "wherein the liner is self-supporting," with the phrase "wherein the liner is able to stand on its own, unsupported." Support for this amendment may be found throughout the specification, and for example at page 14, lines 9-12. Claim 1 has further been amended to state that the spray gun is a gravity-fed spray gun. Support for this amendment may be found in the specification, for example, at page 12, lines 6-9. Claim 1 has further been amended to state that the opening in the lid is oversize relative to the spout. Support for this amendment may be found in original claim 2.

Reconsideration of the application is requested.

Objections to Drawings

The Examiner has objected to the drawings on the following grounds: 1) the drawings failed to show element 338 described in the specification as a "hook", 2) the drawings failed to show the lid permanently secured to the container by welding or adhesive bond, and the base, side wall and end wall permanently joined together, and 3) reference number "11" of the collar in Fig. 8, should be recited as -111--.

In response to these objections, applicants first note that the reference to element 338 is an error. The hook members are depicted by elements 339 and 340 of FIG. 14. Thus, please correct the references to elements "338 and 339" in the specification on page 22, line 2, and page 22, line 22 to read -339 and 340-.

Regarding the error in Fig. 8, and the depiction of lid being permanently secured to the container, and the base, side wall and end wall being permanently joined together, applicants will provide corrected drawing sheets or cancel claims, as appropriate..

Claim Objections

Claim 1 was objected to because "[t]he distinct phrase 'wherein the liner is self-supporting' " does not appear in the specification, however, the Examiner noted that throughout

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the specification, the liner is described as "able to stand on its own, unsupported." Applicants have amended claim 1 to use the language suggested by the Examiner.

Claims 11 and 12 were objected to for directly or ultimately depending on cancelled claim 8. To address this objection, Claim 11 has been amended to depend on claim 7.

§ 102 Rejections

Claims 1-3, 13, 15, 21, 22, 33, 34, 36, 37, 40, 42, 44 and 45 were rejected under 35 USC § 102(b) as being anticipated by Lintveldt, et al. (U.S. Patent No. 5,143,294). Applicants respectfully traverse this rejection.

Claim 1, as amended, is directed to a liquid supply assembly for use with a gravity-fed spray-gun comprising: a reservoir for a liquid to be sprayed, the reservoir comprising:

a liner having a first end, a second end spaced from the first end, a side wall extending from the first end to the second end, a base at the second end, and an opening defined by the first end, wherein the liner is able to stand on its own, unsupported; a lid configured to fit within the opening in the liner, the lid having a central opening; a cap member positioned over the lid, the cap member having a spout providing a fluid outlet communicating with the liner, wherein the spout is connectable to a spray gun and wherein the opening in the lid is oversize relative to the spout; and

an outer container for supporting the liner wherein the cap member is releasably secured to the reservoir and a marginal edge of the opening in the lid is spaced inwardly from the side wall at the first end of the liner, and the reservoir can be detached from the cap member for adding fluid to the reservoir through the opening in the lid.

The disclosure of Lintveldt fails to teach or suggest several elements of claim 1. First, the liner of the present disclosure is able to stand on its own, unsupported. While the Office Action states that the liner of Lintveldt can be "forced into self-supporting", there is no teaching or suggestion in the disclosure of Lintveldt that such a modification could be made. Further, Lintveldt in Column 3, line 25, describes the liner as "[a] pliant container 20." Thus the disclosure of Lintveldt does not teach or suggest a self-supporting liner. Rather, the disclosure of Lintveldt shows a flat, pliant bag, which would not be capable of standing, unsupported.

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Secondly, the disclosure of Lintveldt does not teach or suggest a reservoir for a spray gun having a "a lid configured to fit within the opening in the liner, the lid having a central opening; and a cap member positioned over the lid, the cap member having a spout providing a fluid outlet communicating with the liner, wherein the spout is connectable to a spray gun and wherein the opening in the lid is oversize relative to the spout," as described in claim 1 of the present application. Although the Office Action states that Lintveldt "discloses an opening in the lid (Fig. 2, 24) which is oversize relative to the spout (20, 14)," a review of Lintveldt shows that element 24 is an opening in plug 22 which is as wide as the siphon dip tube. Element 14 points to the dip tube itself, thus it is not clear what is meant in the Office Action.

Further, as shown in Fig. 6 of Lintveldt, the opening 24 in the plug 22, and the opening 28 in the sealing cap 26 are the same size – roughly the size the dip tube 14. Thus, the Office Action has failed to show in the prior art a lid having a central opening and a cap member having a spout positioned over the lid, wherein the opening in the lid is oversize relative to the spout.

Finally, Claim 1, as amended, is directed to a gravity-fed spray gun, whereas Lintveldt discloses a siphon-fed spray gun.

For at least the reasons argued above, Claim 1 is not anticipated by the disclosure of Lintveldt. Claims 2, 3, 13, 15, 21, 22, 33, 34, 36, 37, 40, 42, 44 and 45 each depend from Claim 1 and are thus novel for at least the reasons argued with respect to Claim 1.

Thus, applicants assert that the rejection of claims under 35 USC § 102(a) has been overcome and should be withdrawn.

§ 103 Rejections

Claims 20 and 43 were rejected under 35 USC § 103(a) as being unpatentable over Lintveldt et al. (U.S. 5,143,294).

The Office Action states that the lid dimensions recited in claim 20, and the cap member being releasably connectable to the spray gun by means requiring less than one complete turn, as indicated in claim 43, are obvious design choices. Claims 20 and 43 each ultimately depend on Claim 1, and the disclosure of Lintveldt does not render obvious the invention as described in Claim 1. As indicated above, Lintveldt does not teach or suggest a liner able to stand on its own, unsupported. While the Office Action states that the liner of Lintveldt can be "forced into self-

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supporting", there is no teaching or suggestion in the disclosure of Lintveldt that such a modification could be made. Lintveldt in Column 3, line 25, describes the liner as "[a] pliant container 20." Thus the disclosure of Lintveldt does not teach or suggest a self-supporting liner. Rather, the disclosure of Lintveldt shows a flat, pliant bag, which would not be capable of standing, unsupported.

Further, as argued above, the disclosure of Lintveldt does not teach or suggest a reservoir for a spray gun having a "a lid configured to fit within the opening in the liner, the lid having a central opening; and a cap member positioned over the lid, the cap member having a spout providing a fluid outlet communicating with the liner, wherein the spout is connectable to a spray gun and wherein the opening in the lid is oversize relative to the spout," as described in claim 1 of the present application.

For at least these reasons, Claim 1 is not obvious in light of the disclosure of Lintveldt, thus dependent claims 20 and 43 are also not obvious.

Claims 4-8, 11, 14, 23-27, 30-32, 35, 46 and 47 were rejected under 35 USC § 103(a) as being unpatentable over Lintveldt et al. (U.S. 5,143,294), in view of Joseph et al (WO 98/32539).

Claim 4 states that the side wall of the liner is flexible in comparison to the base so as to be capable of deforming to collapse the liner in an axial direction from the second end towards the first end. Applicants assert that one skilled in the art would not be motivated to combine the teachings of Lintveldt and Joseph to arrive at the invention as claimed. First, Lintveldt is directed to a siphon-fed spray gun, so the liner of Lintveldt would not collapse as fluid is withdrawn from the liner. Thus there would be no motivation to modify the liner of Lintveldt in an effort to control the manner in which the liner collapses.

Even if combinable, the disclosures of Lintveldt and Joseph et al '539 do not teach or suggest all of the elements of the claimed invention. Claim 4 depends on claim 1, and the disclosures of Lintveldt and Joseph et al '539 do not teach or suggest all of the elements of the invention as claimed in claim 1. The disclosures of Lintveldt and Joseph et al '539 do not teach or suggest a reservoir for a spray gun having a "a lid configured to fit within the opening in the liner, the lid having a central opening; and a cap member positioned over the lid, the cap member having a spout providing a fluid outlet communicating with the liner, wherein the spout is connectable to a spray gun and wherein the opening in the lid is oversize relative to the spout," as

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described in claim 1 of the present application. The configuration of the lid and cap member enables the user to quickly re-fill the reservoir without dismantling the spray gun. To re-fill the reservoir, the user opens the lid, which has an oversize opening, thus enabling the user to easily re-fill the reservoir. While re-filling in this manner, the cap member (which is more cumbersome to dismantle) is still connected to the spray gun. When the user is done re-filling the reservoir, the lid can be easily and quickly reattached for continued spraying.

Thus the disclosures of Lintveldt and Jospoh et al '539 do not teach or suggest all of the elements of the invention as claimed in claim 1, or claim 4, which depends from claim 1.

Claims 5-7, and 11, 14, 23-27, 30-32, 35, 46 and 47 each ultimately depend from claim 4 and are patentable for at least the reasons stated with regard to claim 4. Claim 8 has been cancelled, thus obviating the rejection as to this claim.

Claims 9, 10, 12 and 17-19 were rejected under 35 U.S.C. 103(a) as being unpatentable over Lintvedt et al. , in view of Joseph et al. '539, in further view of Joseph el al. (WO 02/085533), hereinafter, Joseph '533.

Claims 9, 10, 12 and 17-19 ultimately depend on claim 1, and the disclosures of Lintveldt, Jospoh '533 and Jospoh et al '539 do not teach or suggest all of the elements of the invention as claimed in claim 1. The disclosures of Lintveldt, Jospoh '533 and Jospoh et al '539 do not teach or suggest a reservoir for a spray gun having a "a lid configured to fit within the opening in the liner, the lid having a central opening; and a cap member positioned over the lid, the cap member having a spout providing a fluid outlet communicating with the liner, wherein the spout is connectable to a spray gun and wherein the opening in the lid is oversize relative to the spout," as described in claim 1 of the present application. The configuration of the lid and cap member enables the user to quickly re-fill the reservoir without dismantling the spray gun. To re-fill the reservoir, the user opens the lid, which has an oversize opening, thus enabling the user to easily re-fill the reservoir. While re-filling in this manner, the cap member (which is more cumbersome to dismantle) is still connected to the spray gun. When the user is done re-filling the reservoir, the lid can be easily and quickly reattached for continued spraying.

Thus the rejection of claims 9, 10, 12 and 17-19 under 35 U.S.C. 103(a) has been overcome and should be withdrawn.

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Claims 16, 28 and 29 were rejected under 35 U.S.C. 103(a) as being unpatentable over Lintvedt et al., in view of Joseph et al. '539, in further view of Petrie et al. (U.S. 6,595,411).

Claims 16, 28, and 29 ultimately depend on claim 1, and the disclosures of Lintveldt, Petrie et al. and Jospeh et al '539 do not teach or suggest all of the elements of the invention as claimed in claim 1. Specifically, the disclosures of Lintveldt, Petrie et al. and Jospeh et al '539 do not teach or suggest a reservior for a spray gun having a "a lid configured to fit within the opening in the liner, the lid having a central opening; and a cap member positioned over the lid, the cap member having a spout providing a fluid outlet communicating with the liner, wherein the spout is connectable to a spray gun and wherein the opening in the lid is oversize relative to the spout," as described in claim 1 of the present application. The configuration of the lid and cap member enables the user to quickly re-fill the reservoir without dismantling the spray gun. To re-fill the reservoir, the user opens the lid, which has an oversize opening, thus enabling the user to easily re-fill the reservior. While re-filling in this manner, the cap member (which is more cumbersome to dismantle) is still connected to the spray gun. When the user is done re-filling the reservior, the lid can be easily and quickly reattached for continued spraying.

Thus the rejection of claims 16, 28, and 29 under 35 U.S.C. 103(a) has been overcome and should be withdrawn.

Claims 38 and 39 were rejected under 35 U.S.C. 103(a) as being unpatentable over Lintvedt et al., in view of Joseph et al. '539, in further view of Holzner (U.S. 5,421,489).

Claims 38 and 39 ultimately depend on claim 1, and the disclosures of Lintveldt, Holzner and Jospeh et al '539 do not teach or suggest all of the elements of the invention as claimed in claim 1. The disclosures of Lintveldt, Holzner and Jospeh et al '539 do not teach or suggest a reservior for a spray gun having a "a lid configured to fit within the opening in the liner, the lid having a central opening; and a cap member positioned over the lid, the cap member having a spout providing a fluid outlet communicating with the liner, wherein the spout is connectable to a spray gun and wherein the opening in the lid is oversize relative to the spout," as described in claim 1 of the present application. The configuration of the lid and cap member enables the user to quickly re-fill the reservoir without dismantling the spray gun. To re-fill the reservoir, the user opens the lid, which has an oversize opening, thus enabling the user to easily re-fill the reservior. While re-filling in this manner, the cap member (which is more cumbersome to dismantle) is still

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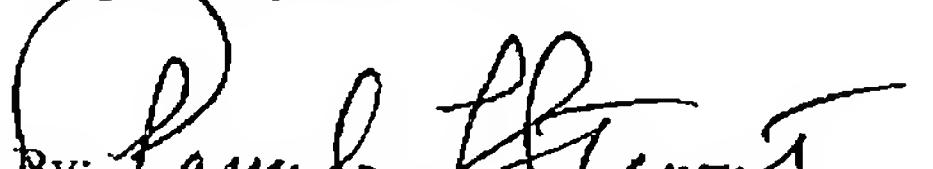
connected to the spray gun. When the user is done re-filling the reservoir, the lid can be easily and quickly reattached for continued spraying.

Thus the rejection of claims 38 and 39 under 35 U.S.C. 103(a) has been overcome and should be withdrawn.

In summary, the rejection of claims under 35 USC § 102, and 35 USC § 103 have been overcome and should be withdrawn.

Examination and reconsideration of the application as amended is requested.

Respectfully submitted,

By: 

Pamela L. Stewart, Reg. No.: 45,707
Telephone No.: 651-733-2059

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Date

Office of Intellectual Property Counsel
3M Innovative Properties Company
Facsimile No.: 651-736-3833